

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION**

<b>R.A.Jr., (a minor child, by and through his</b>	)	
<b>Father and next best friend, Richard Lemmel</b>	)	
<b>Arnold,</b>	)	
<b>Plaintiff,</b>	)	
<b>v.</b>	)	<b>Case No.: 3:06-CV-337-WHA</b>
<b>DEPUTY SHERIFF WALTER LACEY,</b>	)	
<b>in his official and individual capacity</b>	)	
<b>Defendant.</b>	)	

**PLAINTIFFS' JURY INSTRUCTION NUMBER 18**

**PM CIV-FJPI § 1-3.17**

**§ 1-3.17. Force, not reasonable when suspect non-violent and poses no threat**

Commission of a misdemeanor militates against finding that force used was reasonable when the person against whom it was used was non-violent and posed not threat to the safety of officers or others.

GIVEN \_\_\_\_\_

REFUSED \_\_\_\_\_